

THE SYDNEY MORNING HERALD, TUESDAY, JULY 22, 1879.

Books, Publications, &c.
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WILLIAM MADISON,

8s, George-street.

MADDISON'S SELECT LIBRARY.—The following Books have just been received by Stan (being only part up-to-date, and now in stock).

St. George's Magazine, 3s.

OUR ROME LETTER.

ROME, July 6.

On Monday, the 19th of last month, a bill passed the Italian Chamber which had brought Leo XIII., and the Italian Government into collision. The effect thus far has been limited to a calm but very positive letter, written by the Pope, protesting against the bill, which has for its object the rendering of the civil marriage compulsory before the celebration of the religious rite, under penalties of imprisonment of all the parties concerned—the priest, the married couple, and the witnesses. 153 deputies voted in favour of the measure, 101 against it; and it now only requires the sanction of the Senate to become the law of the land. That given, it will then be "a crime"—as distinctly stated in the first article of the bill, for any one either to marry or be married, according to any religious rite whatsoever, unless they have previously fulfilled the ceremony prescribed by the civil law; and the punishment for that crime is to be from one to six months' imprisonment for the minister of religion who celebrates the marriage, and one to three months' imprisonment for those who are so married, and those who act as witnesses on the occasion. And further, the period of imprisonment is increased to eight months in those cases where such marriage has been celebrated by surprise. On the other hand, there is a saving clause by which those whose conscience would be offended at the idea of being first married by the magistrate, and not by the priest, can escape that necessity. An amendment was moved and added to the first article of the bill, which constitutes the omission of the civil marriage a crime, to the effect "that when the civil marriage takes place posterior to the religious ceremony, but within three months of its date, the penal action and the condemnation for the omission, as aforesaid, shall become void."

Arbitrary, tyrannical even, as this law may seem, it is undoubtedly the ministers of the Roman Catholic Church who are to blame. When Italian liberty was assured, and the various States united into one kingdom, the Government felt it to be its duty to provide, in the matter of marriage, full liberty for its subjects to form that tie free from any impediment any branch of the Church might seek to impose, and with full satisfaction to their own consciences. The Italian Government did not feel itself at liberty—or at any rate did not see its way clear—to legalize every variety of religious ceremonial different Christian bodies or denominations might require—and then again what about those persons who are not members of the Christian family, such as Jews, Mahomedans, and others who may be settled in Italy; or those—and aim in this land there are many such, who profess themselves of no religion at all, according to any religious ceremonial. In the face of this condition of facts, of beliefs, and of no belief at all, a completely comprehensive system of legal marriage was formed, and the other parts of the plan followed in France, Belgium, and elsewhere, of the civil marriage before the magistrate. Until that should be done the State could not take cognisance of any two persons being married, and without that cognisance their children would necessarily in the eyes of the law be illegitimate. But at the same time this civil marriage, or predestination in the archives of the State, in no way prejudiced or interfered with the question of the religious marriage. People might be wedded in church or chapel, in synagogue or mosque, before or after the civil marriage, as they pleased. The State asked no question. It prescribed no belief, it interfered with no belief. It had established the maxim of a free church—or rather—free churches in a free State. It was the duty of Caesar's ministers to look after the affairs of Caesar, and the duty of God's ministers to look after the affairs of God; in that duty the former did not interfere, nor against its fulfilment, in whatever way might be deemed the best, did they place any bar.

But the Roman Church would hear nothing of this, For her to be placed on the same level with other churches, the existence of which she does not admit as such, was an iniquity, a sin, an abomination. Her priests denounce the Italian marriage law from the pulpit, her priests taught against it in the households. It was not matter to her that she was at liberty to require all the faithful to receive the nuptial benediction at the altar before they went to obtain the sanction of the law at the Syndic's office; the civil marriage was a ceremony she could not and would not recognize. Of course the effect of all this opposition was only partial; the Liberals triumphed at it; the more intelligent and good people good care that the requirement of the Government to which they were hostile should be neglected, when the nation could not tolerate their children's marriages, and render their grandchildren illegitimate. When Prince Turin, then whom a more faithful servant of the Pope, and, at the time, more irreconcilable clerical could not be found, gave in the year 1873, his only daughter and heiress, Donna Anna Maria, in marriage to Don Giulio Borghese, he took very good care not only to have the civil ceremony properly performed, but to have it performed before the religious rite was celebrated. But among people of lesser degree, and particularly where no property was involved, or where a fanatic belief in the certain restoration of the temporal power prevailed, and above all among the peasants in the country villages, the clergy carried their point to the extent that in 1860 29,288 marriages were celebrated according to the religious rite only. These statistics tell the whole story.

But a far greater evil arose through this determined action of the Church in setting the requirements of the State at nought. Designing, evil intentioned men could marry a girl before the priest one day and desert her the next, with the same impunity as if he had entrapped her into a mock-marriage. She had no earthly redress against the man who wronged her. Numbers of cases of this kind were verified; and further, men who had married with the honest intention of holding the women as their lawful wives, but afterwards growing tired of them, or indifferent, from whatever cause, it is needless to say, to their children's welfare, will in the present case be compelled to annihilate their children's marriages, and render their grandchildren illegitimate. When Prince Turin, then whom a more faithful servant of the Pope, and, at the time, more irreconcilable clerical could not be found, gave in the year 1873, his only daughter and heiress, Donna Anna Maria, in marriage to Don Giulio Borghese, he took very good care not only to have the civil ceremony properly performed, but to have it performed before the religious rite was celebrated. But among people of lesser degree, and particularly where no property was involved, or where a fanatic belief in the certain restoration of the temporal power prevailed, and above all among the peasants in the country villages, the clergy carried their point to the extent that in 1860 29,288 marriages were celebrated according to the religious rite only. These statistics tell the whole story.

In face of this combination of evils, and the fact that the number of these illegal marriages in which the civil ceremony was altogether omitted have never, since 1867, been less than 30,000 a year, and rising to even as many as 35,000, some provision became absolutely necessary. The matter has been brought before Parliament again and again, but for various reasons, one of which was the hope that time would work its own cure, that the Church would recognize the evil and relent, no positive determination was taken. It did seem, indeed, that the people were beginning to obtain a better knowledge of the subject and it was ascertained that some of the more tolerant clergy had withdrawn any active opposition. There were even those who had commenced to recommend compliance with the requirements of the law, and the results of this were that during the year 1874 the statistics proved that an average of 20,000 married couples wedded at previous dates according to the religious rite only, had sought and obtained the proper legalization. At the same time, however, although the 20,000 per annum would in one sense reduce the number of illegal or unlegitimized marriages to from 10 to 15,000 per annum, there was no actual decrease in the number of those married each year according to the religious rite only, nor increase in the number of marriages celebrated at once before both the ecclesiastical and the civil authorities. Finally, however, Leo XIII., in his Encyclical of April 21, 1878, confirmed the condemnation given by his predecessor. He pronounced the civil marriage to be an iniquity. It was felt that his words would have the effect of impressing the evil. Those priests who

had commenced to show a conciliatory spirit would be able to do so no longer. An interpellation was made in the Chamber by the deputies Tajani and Luochini, Signor Confurto, who was then Minister of Grace and Justice, undertook to prepare a bill. In the meantime the Cabinet Government fell, and, as chance would have it, Signor Tajani becomes Minister of Grace and Justice in the succeeding and actual Administration, and as a matter of course has energetically followed up the question on which he moved the interpellation, and has carried the bill, as above described, through the House. Of course, the very safe announcement was at one made that Leo XIII. was preparing an Encyclical on the subject; and in fact, on the 1st instant, the Pope sent a full answer which is in itself a perfect model of astuteness from every point of view. It is not an Encyclical—still less is it addressed to the Italian Episcopate. It is a letter written exclusively to the Archbishops and Bishops of the Ecclesiastical Provinces of Turin, Vercelli, and Genoa. It is one of those documents which seems to say everything while saying nothing—to make large concessions while it yields nothing, and to give a full reply to the question involved in the bill while leaving it absolutely untouched, and this in the calmest, most polished language, wherein there is not a word to offend the most fastidious taste or wound the tenderest susceptibility. "One must deny," says the Pope, "the fundamental principles of Christianity, and even the elementary ideas of natural law, in order to affirm that matrimony is a creation of the State, and nothing more than a vulgar contract. The canonical marriage is not the work or invention of man. It was God himself, the Supreme Author of Nature, who, from the beginning, commanded the propagation of the human race and the constitution of the family by this union. Matrimony, therefore, in all that concerns the substance and sanctity of the tie is a most essential and religious, the regulation of which naturally belongs to the religious power." Not by delegation of the State, but by mandate of the Divine Founder of Christianity, and the author of the Sacraments. This letter, however, is an attempt to convert "religious power" into "religious power"; each religion regulates its own.

It is a saving clause by which the Pope has given the appearance of a concession generally heralded by the appearance of a pious smoke from the crater, the lava then issued from the sides and flows down the mountain, and covers everything in its path. The last eruption of Mount Etna is on record, only ten of which came from the grand crater on the top, the present eruption makes the eleventh. There is a legend about the eruption of 1444, which devastated Catania, when the Cataniæ, seeing the danger of their city, carried in procession the veil of their patroness, St. Agatha, which inundated the town with water. The next cause of offence was the singular absence of names from the rolls. Persons who have been ratepayers for years went to the polling-places, to be informed that their names were not upon the lists. The Corporation has obtained a majority in favour of their scheme, but by far the greatest bulk of the inhabitants protest that the fair opinion of the city has not been obtained.

It was not to be expected that the session would pass without an attempt to prevent the colony becoming a refuge for criminal exiles from New Caledonia. When the last batch arrived, and its members plainly distinguished themselves throughout the colony, "none

seems to agree that a bill must be passed, but not so severe a one as this." The Colonial Secretary in introducing the bill, informed the House that New South Wales is being inundated by thieves from New Caledonia, a class of immigrant, he said, not desirable to add another illustration, after a multitude which have preceded it, of what the Church would do in this matter if she had full swing. An English Protestant nobleman was about to be married here in Rome to a French Roman Catholic lady of rank. He had consented to all the requirements of her ghostly counsellors. All the children were to be brought up in the Roman Catholic faith, but this was not sufficient for Cardinal Manning. His Eminence would not consent to the Protestant marriage, which of course, was to come after the Roman Catholic marriage, being celebrated at the British Embassy. All the children are amateurs, and study the classic music of the past, giving each season one opera or oratorio, and repeating the performances three times, everything but it for the space of two square miles. This was the most prolonged eruption of Etna on record, and after it the volcano remained in repose up to the present epoch. It is feared the phenomena of 1819 may be repeated on this occasion, and should the lava flow into the Alcantara River, which it is apprehended rapidly, the disaster will be fearful.

On Friday evening, 30th May, the Roman Orchestral Society performed the oratorio, "Israhel in Egypt," under the leadership of the celebrated master, Signor Mustata, the Pontifical Chapel master. This society numbers a fine choir of 120 voices, and a full orchestral band. All the members are amateurs, and study the classic music of the past, giving each season one opera or oratorio, and repeating the performances three times, everything but it for the space of two square miles. This was the most prolonged eruption of Etna on record, and after it the volcano remained in repose up to the present epoch. It is feared the phenomena of 1819 may be repeated on this occasion, and should the lava flow into the Alcantara River, which it is apprehended rapidly, the disaster will be fearful.

Quite an alarming picture of our rising generation was drawn the other night in the Legislative Assembly by Mr. O'Sullivan, the member for Stanley. He is a Quaint Irishman, with a fine brogue, great common sense, and a way of putting things that seems to belong, essentially, to his nationality. The subject of our National education cropped up incidentally, and a most dangerous subject it would be difficult to throw into the discussion. The first-class musical treat. During the last three or four years the concert has taken place in the large hall of Palazzo Doria in Piazza Navona, which, although tolerably spacious, is not half large enough or lofty enough for the volume of voices. The members courteously invite the company by ticket, and ladies and gentlemen attend in full evening dress. "Israhel in Egypt" was perfectly rendered, and met with deserved applause. The Italians listed kindly to Handel's music, and say he must have studied the music of the south, for his compositions are not German. On the whole, however, the preference is given to the "Messiah," which was performed here two years ago, and is pronounced the greater work.

The prolonged rainy weather came at last to end with the change of the moon on the 21st of May, and the weather is beautiful, not yet too warm for enjoyment. On the last day of May a singular occurrence was noted by many persons here. A cloud of moths passed over Rome, coming from the south apparently, and proceeding no one knows where! Hundreds of them were caught in the streets by the ever active and vigilant street boys, mostly as they are called in Italy, and few in the houses, and not more than a few insects were remarked to fly about at night. But, although central Italy is enjoying calm weather now, the northern provinces are devastated by floods, the Adige and the Po having overflowed, and laid vast tracts of country under water. The city of Turin was seriously threatened for several days, but fortunately the efforts of the authorities saved the town. Not many flew in this country, but nevertheless somebody is in the wrong somewhere. The Pope says in his letter that the evils which have arisen through the neglect of the civil marriage are the natural effects of the religious convictions of the Italian people, and that the Church and clergy are unjustly blamed. "If the Pope sincerely believes this, what prevents him?" The Abbot asks, "from freeing the country from an evil, the gravity of which no one can deny. A few words from his Holiness, a simple prescriptive order, would be enough. Why does he not speak that word?" Why does he not give that order?" But it is quite clear the Pope has no intentions of the kind. The very address of his letter proves that the instructions to which he refers as contained in the documents he names cannot apply, and that he has no intention they shall apply, to the question which has been raised since 1865, and has finally culminated in the present bill, which, as it has not yet passed the Senate, might easily be dropped, and would be dropped, if those in authority did not anything, and the Pope would order them to be carried out. But it must be observed that the question at issue is one which relates to the kingdom of Italy in its entirety and unity—that kingdom which has its capital at Rome. The Pope, however, as proved by the address of his letter, treats it as one which relates only to the kingdom of Sardinia. It is written exclusively to the archbishop and bishops of the ecclesiastical provinces of Turin, Vercelli, and Genoa, which do not comprise even a sixth part of the Italian dominions. By naming those, he as a matter of course excludes all others, and consequently the instructions the Church has addressed to him, so liberally given, cannot be understood as applying to any parts of Italy but those specified in the letter, and consequently do not apply to Italy at all. In the meantime Catholic leagues of men and women are being formed to combat the action of the new law and agitate for its provisions being set at naught.

To crown the number of extraordinary natural phenomena which make this year remarkable in Italy, both the great volcanoes are in action at the same time. Vesuvius moderately, but Etna vomiting lava and ashes with a violence unknown since August, 1852. Earthquakes both in Sicily and on the mainland preceded the great outburst which commenced on the 27th of last month, with fire issuing from a new opening on the northern slope, while a dense smoke enveloped the whole mountain. Thick clouds of black smoke were driven by the south-west wind across the Straits of Messina and over Calabria, covering the whole face of the country and filling the population with dread for their fields, vineyards, and rich orange crops. Neither sun, moon, nor stars could be seen, and frequent shocks of earthquake added to the horror of the visitation. The eruption continued incessantly. Three new craters opened in a valley of the mountain (or rather the mountain range, for Etna is a pile of mountains more than a single eminence) six miles above Randazzo, which is eight miles from Linguaglossa. Lava reported from the volcano were heard at a great distance. At night the specks seen were heated and glowed away, most brilliant and awful. Balls of fire three high in the air burst like fireworks like rockets. An enormous stream of lava became visible on the third day, which seemed to take the direction of Randazzo. Thirty craters had opened, each vomiting fire, ashes, and smoke. The stream of lava, a mile broad, was calculated to advance at the rate of a metre a minute. It interrupted the road between Linguaglossa and Passapuccio, and threat Moja, a mountain village. On the last day of May the streams of lava from all the craters had united into one gigantic river of fire, a magnificent and awful sight, and the incandescent rolling of the subterranean artillery caused one witness to exclaim that the case of the Taunton execution the High Sheriff of Somersethire had exercised a wise discretion in executing reporters, and he hoped that the example would be followed by other high sheriffs. Lord Houghton said it was generally understood that the object of making executions private was that the public might be spared disgusting and sensational details in connection with the matter, and that object would be defeated if the public were allowed to witness the execution. The Home Secretary had really nothing to do with executions, and he had thought it desirable to make any regulations in reference to them. They were left entirely to the discretion of the local authorities, and other officials. Those persons were condemned by law to death, and the sheriff should be responsible for the official witness of the execution. Justices of the peace of the county or borough in which the prison was situated might also be present, but no other persons except they were allowed by the sheriff who had been informed of the sentence. The Home Secretary had really nothing to do with executions, and he had thought it desirable to make any regulations in reference to them. They were left entirely to the discretion of the local authorities, and other officials. Those persons were condemned by law to death, and the sheriff should be responsible for the official witness of the execution. Justices of the peace of the county or borough in which the prison was situated might also be present, but no other persons except they were allowed by the sheriff who had been informed of the sentence. 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PEACH PEACH PEACH PEACH

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